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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DAVID COMBS,

11 Petitioner,

No. CIV S-10-3092 GGH P

12 vs.

13 GARY SWARTHOUT,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not submitted a request to proceed in
18 forma pauperis or paid the filing fee.

19 The application attacks a conviction issued by the Santa Clara County. While
20 both this Court and the United States District Court in the district where petitioner was convicted
21 have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973), any and all
22 witnesses and evidence necessary for the resolution of petitioner's application are more readily
23 available in Santa Clara County. Id. at 499 n.15; 28 U.S.C. § 2241(d).

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Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this matter is transferred to the United States District Court for the Northern District of California.

DATED: November 22, 2010

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

GGH:md
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